

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
-vs-	)	Case No. CR-08-99-D
	)	
ARTURO CONTRERAS-ALVEREZ, JR.,	)	
	)	
Defendant.	)	

JUDGMENT AND COMMITMENT ORDER  
ON REVOCATION HEARING

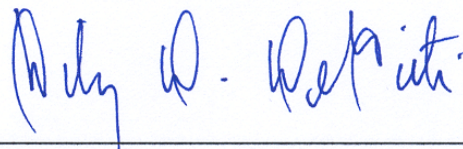
The Petition for Warrant or Summons for Offender Under Supervision filed on May 9, 2008, came before the Court for hearing on August 20, 2008. The defendant appeared in person, represented by Assistant Federal Public Defender William P. Earley, and the government was represented by Assistant United States Attorney Edward Kumiega. The defendant was advised of the allegations in the Petition. Specifically, the petition alleged Mr. Contreras was arrested March 23, 2008 by the Oklahoma City Police Department for the offense of driving under the influence; that Mr. Contreras used alcohol on March 23, 2008 and May 4, 2008; and, that Mr. Contreras violated the home detention condition on May 4, 2008.

Mr. Contreras admitted he used alcohol as alleged and that he violated the home detention provision as alleged. Mr. Contreras did not admit he was driving under the influence. However, Mr. Contreras stipulated that if the government were required to present evidence on that violation, the government could prove by a preponderance of the evidence the violation occurred as alleged. The Court finds that Mr. Contreras has violated his

conditions of supervised release as alleged in the Petition.

The Court heard arguments from Mr. Contreras' counsel and a statement from Mr. Contreras in mitigation. Upon consideration of the statutory factors set forth in Title 18, United States Code, §3553 and the policy statements of the United States Sentencing Commission in Chapter 7 of the United States Sentencing Guidelines, it is ordered that Mr. Contreras' supervised release is hereby revoked, and he is committed to the custody of the United States Bureau of Prisons to serve a term of imprisonment of fourteen (14) months. A term of supervised release of twelve (12) months is ordered following Mr. Contreras' release from imprisonment.

The term of supervised release to be served following release from imprisonment shall include all of the conditions previously imposed in the Judgment entered in the United States District Court for the Western District of Texas in case number EP-03-CR-114-PRM, and the special condition that Mr. Contreras undergo a program of drug and alcohol aftercare as directed by the probation office. Mr. Contreras may be required to contribute to the cost of services rendered (co-pay) in an amount to be determined by the probation office, based on his ability to pay. Further, the Court recommends that the defendant be incarcerated at the Federal Correctional Institution at El Reno, Oklahoma.



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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE

Approved:

*s/ Edward Kumiega*  
Edward Kumiega  
Assistant U.S. Attorney

*s/ William P. Earley*  
William P. Earley  
Assistant Federal Public Defender